



*Doug Rhodes, Chairman
Cindi Michael, Vice-Chair
Dan Harrison, Don Bergwall,
Phillip Jackson
SaVaughn Irons
Lacey Ragus*

Work Session 6:30PM

September 2, 2020
Chambers

Planning Commission Minutes

City Hall Council

7:00PM

Pursuant to Governor Kemp's Executive Order Number 03.14.20.01 declaring a Public Health State of Emergency and in accordance with O.C.G.A. §50-14-1 et seq., as may be amended or extended, this public meeting is being conducted via the use of real-time telephonic technology allowing the public simultaneous access to the public meeting.

You may also attend in person with limited seating available at both City Council Chambers and the Ben Robertson Community Center.

If you are not able to attend a meeting in-person and would like to provide public comment on a specific agenda item, you can email kennesawcouncil@kennesaw-ga.gov no later than 6:00 PM the night of the regular meeting. Your comments on a specific agenda item will be read aloud or grouped into categories for the record.

The meeting may be accessed using Facebook Live via the following link:
<https://www.Facebook.com/City of Kennesaw/>

Meeting of the Kennesaw Planning Commission called to order by Chairman Rhodes at 7:00p.m. in the Council Chambers, 2529 J.O. Stephenson Avenue. Roll call taken with the following members present: Cindi Michael, Donald Bergwall, Phillip Jackson Doug Rhodes, Lacey Ragus and SaVaughn Irons. Absent: Dan Harrison

City Staff Darryl Simmons, Zoning Administrator was present.

The Planning Commission serves as an Advisory Board that makes recommendations to the Mayor and Council. These agenda items will be heard by Mayor and Council at their September 21, 2020 meeting. Anyone giving comments in the public session are to sign in and note that limitation of 10 minutes per side will be allowed.

Action on Minutes – August 5, 2020,

Don Bergwall made motion, seconded by Cindi Michael to approve the minutes of the August 5 , 2020, Planning Commission as submitted. Audible roll call **Vote: 5-0**



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Public Hearing:

1. **RZ2020-04 Rezoning Request** Consideration to approve a rezoning request submitted Roger Wang for property located at 3501 Cherokee Street. Said request to rezone from City NS (Neighborhood Shopping) to City R-15 residential for property containing .67+/- acres for purpose of proposed residential occupancy. **(Mayor and Council September 21, 2020)**

Mr. Simmons presented application and briefly described discussions made between applicant and city staff leading up to the submittal of the rezoning request. Mr. Simmons also presented for the record an email received 9-1-20 from property owner Bonnie Worley who resides on Dobbins Dr. The email details concerns the upkeep and current condition of the property. Concerns include piles of mulch, parking issue on Dobbins Dr. and general appearance of property. Mr. Wang discussed the background of the property and explained his challenge of finding a commercial tenant. Don Bergwall asked questions directed at the applicant regarding his intent to clean up the property and stated that the adjoining mechanics shop should be notified that parking on the property would not be permitted. The applicant agreed that the parking issue should be addressed and committed to notifying the commercial mechanics shop identified as K&M. The applicant also committed to cleaning up the property with the installation of fencing and removal of mulch piles.

The floor was open to public comment- There being no public comment in addition to email received by staff, the floor was closed for public comment.

The Chairman called for a motion. Don Bergwall motioned to approve the rezoning request to rezone property from NS to R-15. Cindi Michael seconded. Audible roll call, motion passed vote 5-0.

2. **RZ2020-05 Rezoning Request** Consideration to approve a rezoning request submitted by CF&G Enterprises for property located at LL 175 parcel 17.. Said request to rezone from City Planned Village Commercial (PVC) to City Fee Simple Townhomes (FST) for property containing 2.37+/- acres for purpose of building twenty three townhomes. **(Mayor and Council September 21, 2020)**

3. **Commissioner Irons recused herself from the proceedings because she resides in this development. Commissioner Irons was placed in the waiting room online as part of the zoom meeting program.**

Mr. Simmons presented the agenda item and provided the land use and development history of the development known as Ellison Lakes dating back to the rezoning and annexation of the 130-acre site in 2001. Mr., Simmons also stated that this rezoning request would create a separate district within the PVC master planned community and was against city policy to undermine master planned zoning decisions by further reducing the commercial tracts that makes the development mixed use.



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Mr. Simmons proceeded to explain that there were amendments to this master planned community that included the reduction of total apartment units from 650 units to 589 units and the increase of townhomes from 248 units to 309 townhome units. Total maximum residential units approved for overall development is 898 residential units. This mixed-use development contains commercial and residential Tracts identified as A through G.

The attorney for the applicants Mr. Parks Huff from the law firm Sams, Larkin and Huff LLP. Made a presentation that included a PowerPoint representation of the development. Mr. Huff discussed the location for the proposed additional townhomes and referenced the adopted comprehensive plan and character area category this development falls under. The property owner Mr. Eric Fiederspiel explained that he encountered challenges in finding commercial prospects over the years for this location. Mr. Simmons clarified that the PVC zoning district allows for a number of office, professional and retail uses.

The Chairman asked if commissioners had questions for the applicant. Don Bergwall asked about the vacant lot directly next to the subject location for the townhomes. Mr. Huff explained that the area in question is the detention pond area for the industrial properties north of the development. Cindi Michael asked staff if the FST zoning is granted would a separate zoning district be created inside the master planned development and would that separate district be subject to the zoning conditions of the overall development. Mr. Simmons replied that a separate zoning district would be created if the rezoning request was approved and that the new FST district would not fall under the conditions of the PVC district.

Chairman Rhodes opened the floor for public comment. There was no public comments. The floor was closed.

Don Bergwall made a statement regarding the city's responsibility to act in the best interest of the city and not just solely for the benefit of the property owners. Mr. Bergwall stated that he did not see the justification to reduce or amend the master plan and recommended to the commission that the commissioners follow the recommendation for denial presented by staff.

Chairman Rhodes called for a motion.

Don Bergwall made motion to deny the rezoning request, second made by Cindi Michael. Audible roll call vote taken. Vote 4-0 to deny the rezoning request.

Commissioner Irons was taken out of waiting room to join the proceedings after the vote was taken.



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Staff Comments – There were no additional comments from Staff.

Adjournment There being no further business, motion made to adjourn this meeting. Motion carried
Vote 5-0. Meeting adjourned at 8:15pm

DRAFT